

1 NICHOLAS A. TRUTANICH  
2 United States Attorney  
3 District of Nevada  
4 Nevada Bar No. 13644

5 PATRICK A. ROSE  
6 Assistant United States Attorney  
7 Nevada Bar No. 5109  
8 501 Las Vegas Blvd. So., Suite 1100  
9 Las Vegas, Nevada 89101  
10 (702) 388-6336  
11 Patrick Rose@usdoj.gov

12 *Attorneys for the United States*

13  
14 **UNITED STATES DISTRICT COURT**  
15 **DISTRICT OF NEVADA**

16 Rudy Rivera, an individual,  
17 Plaintiff,  
18 v.  
19 United States of America,  
20 Defendant.

Case No: 2:19-cv-00306-RFB-VCF

21  
22 **Motion for Extension of Time**  
23  
24 **(First Request)**

25  
26 Defendant United States respectfully moves for a 15-day extension of time, from  
27 April 22, 2019 to May 7, 2019, to file a response to Plaintiff's Complaint (ECF No. 1). This  
28 is the first request for an extension of time.

29  
30 **MEMORANDUM OF POINTS AND AUTHORITIES**

31  
32 Federal Rule of Civil Procedure 6(b)(1) and Local Rule IA 6-1 allow a party to request  
33 additional time to perform an act. In this case, the United States requests additional time to  
34 file a response to the Complaint for the reasons set forth below.

35  
36 Defense counsel has had to devote time to a number of other matters including a  
37 summary judgment reply brief in *Nitta v. United States*, 2:17-cv-01137-GMN-CWH, filed  
38 earlier this month, as well as two responses (including a motion) to complaints due April 22,  
39 2019 in *Lawrence, et al. v. Las Vegas Metropolitan Police Department, et al.*, 2:16-cv-03039-RFB-

1 NJK. Counsel had to travel for out of state depositions in March and April, he was out of  
2 the office on several occasions during the last two weeks due to a family matter, and he must  
3 travel next week for an out of state deposition. The Civil Division of the U.S. Attorney's  
4 Office remains understaffed in both AUSA and support staff positions. This extension of  
5 time is requested to allow undersigned counsel adequate time to review relevant materials  
6 and prepare a response to the Complaint in this matter. This motion is filed in good faith and  
7 not for the purposes of undue delay.

8 For the above reasons, the United States respectfully requests this extension of time,  
9 from April 22, 2019 to May 7, 2019, to file a response to Plaintiff's Complaint.

10 Respectfully submitted this 22nd day of April 2019.

11 NICHOLAS A. TRUTANICH  
12 United States Attorney

13 *s/ Patrick A. Rose*  
14 PATRICK A. ROSE  
15 Assistant United States Attorney

16 ORDER

17 IT IS SO ORDERED.



18  
19 RICHARD F. BOULWARE, II  
20 UNITED STATES DISTRICT JUDGE  
21  
22  
23  
24  
25  
26  
27  
28

Date: April 23, 2019.

## Certificate of Service

I hereby certify that on April 22, 2019, the foregoing Motion for Extension of Time was filed, and thereby served on all counsel of record, using the CM/ECF system of the United States District Court for the District of Nevada.

s/ Patrick A. Rose  
PATRICK A. ROSE  
Assistant United States Attorney